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11 Attorney for Michael Anthony Villalba

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 United States of America,

15 Plaintiff,

16 v.

17 Michael Anthony Villalba,

18 Defendant.

Case No. 2:24-mj-00037-DJA

Stipulation and Proposed Order

19 Mr. Villalba was charged by complaint on January 11, 2024, with three counts:
20 (1) Operating a Motor Vehicle while Under the Influence of Alcohol (a violation of 36
21 C.F.R. § 4.23(a)(1)); (2) Operating a Motor Vehicle with a BAC of 0.08 Grams and
22 Higher (a violation of 36 C.F.R. § 4.23(a)(2)); and (3) Speeding (a violation of 36 C.F.R.
23 § 4.21(c)). (ECF No. 2.)

24 Mr. Villalba entered a plea agreement on August 7, 2024. (ECF Nos. 14, 15.)
25 Under that agreement, Mr. Villalba pleaded guilty to Count One. (ECF No. 14.)
26 Counts Two and Three were dismissed. (*Id.*) Mr. Villalba was sentenced on Count
27 One as follows: “Defendant is sentenced to one year unsupervised probation; \$500.00
fine and \$10.00 penalty assessment; attend and complete lower court DUI course and

1 victim impact panel; complete eight (8) hours online alcohol awareness course; and
 2 restricted from Lake Mead National Recreational Area for six months. Should the
 3 defendant complete his obligations within the first six months of his unsupervised
 4 probation, the court will allow the defendant to withdraw his guilty plea to count one
 5 and the government will move to amend count one to reckless driving, see plea
 6 agreement.” (*Id.*)

7 Mr. Villalba now has completed the special conditions of his unsupervised
 8 probation. Accordingly, the parties agree that Count One should be amended to
 9 Reckless Driving, and the status conference set for February 14, 2025, at 11:30 AM
 10 should be vacated.

11 Dated: February 12, 2025

12 Respectfully submitted,

13
 14 Rene L. Valladares
 15 Federal Public Defender

Sue Fahami
 Acting United States Attorney

16 /s/ Rick A. Mula

/s/ Skyler H. Pearson

17 Rick A. Mula
 18 Assistant Federal Public Defender

Skyler H. Pearson
 Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,
Plaintiff,
v.
Michael Anthony Villalba,
Defendant.

Case No. 2:24-mj-00037-DJA
[Proposed] Order

The Court finds that Mr. Villalba has completed the special conditions of his unsupervised probation in accordance with his plea agreement and sentence.

IT IS THEREFORE ORDERED that Mr. Villalba is permitted to withdraw his guilty plea to Count One: Operating a Motor Vehicle Under the Influence.

IT IS FURTHER ORDERED that the Court, consistent with the plea agreement and sentence, enters a plea of guilty to Amended Count One: Reckless Driving.

IT IS FURTHER ORDERED that the status conference set for February 14, 2025 at 11:30 AM is vacated.

DATED this 12th day of February, 2025.



UNITED STATES MAGISTRATE JUDGE